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89TH CONGRESS
2D SESSION

H. R. 14590

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 1966

Mr. RIVERS of South Carolina introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend the Central Intelligence Agency Act of 1949, as amended, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. The Central Intelligence Agency Act of
4 1949, as amended (50 U.S.C. 403a et seq.), is further
5 amended as follows:

6 (1) Amend section 3 by deletion of subsections (a)
7 and (b) and substitute therefor:

8 “(a) In the performance of its functions, the Agency
9 is authorized to exercise the authorities contained in sections
10 2301; 2302 (2) and (3); 2303 (b) and (c); 2304 (a)
11 (1), (2), (3), (4), (5), (6), (10), (12), (15), and

1 (17); 2305; 2306; 2307; and 2312 of title 10, United
2 States Code.

3 “(b) In the exercise of the authorities granted in sub-
4 section (a) of this section, the term ‘Agency head’ shall
5 mean the Director and the Deputy Director.”

6 (2) Amend section 3 (d) by deletion of the wording
7 “section 2 (c) and section 5 (a) of the Armed Services Pro-
8 curement Act of 1947” from the first sentence and substi-
9 tute therefor, “section 2304 (a) and section 2307 of title
10 10, United States Code.” Further amend section 3 (d) by
11 deletion of the wording “section 2 (c), by section 4 or by
12 section 5 (a) of the Armed Services Procurement Act of
13 1947” from the second sentence and substitute therefor,
14 “section 2304 (a), by section 2306 or by section 2307 of
15 title 10, United States Code”.

16 (3) Amend section 4 by adding the following new para-
17 graphs (1) (G) and (1) (H), and (8), and further amend
18 section 4 by deletion of the words “Under such regulations
19 as the Director may prescribe, the Agency, with respect to its
20 officers and employees assigned to duty stations outside the
21 several States of the United States of America, excluding
22 Alaska and Hawaii, but including the District of Columbia,
23 shall—” and substitute therefor, “Under such regulations as
24 the Director may prescribe, the Agency, with respect to its
25 officers and employees assigned abroad, to duty stations out-

1 side the several States of the United States of America, ex-
2 cluding Alaska and Hawaii, but including the District of
3 Columbia, may—

4 “(1) (G) Pay the travel expenses of officers and
5 employees of the Agency and members of their families,
6 while serving at posts specifically designated by the
7 Director for purposes of this paragraph, for rest and
8 recuperation to other locations abroad having different
9 environmental conditions than those at the post at which
10 such officers and employees are serving, provided that
11 such travel expenses, shall be limited to the cost for each
12 officer or employee and members of his family of one
13 round trip during any continuous two-year tour un-
14 broken by home leave and two round trips during any
15 continuous three-year tour unbroken by home leave;

16 “(1) (H) Pay the travel expenses of members of
17 the family accompanying, preceding, or following an
18 officer or employee if, while he is en route to his post of
19 assignment, he is ordered temporarily for orientation and
20 training or is given other temporary duty.”

21 “(8) Provide appropriate orientation and language
22 training to members of family of officers and employees
23 of the Agency in anticipation of the assignment abroad
24 of such officers and employees, or while abroad.”

1 (4) Amend section 4 (3) (A) to read as follows:

2 “(3) (A) Order to any of the several States of
3 the United States of America (including the District
4 of Columbia, the Commonwealth of Puerto Rico, and
5 any territory or possession of the United States) on
6 leave of absence authorized in section 203 (f) of the
7 Annual and Sick Leave Act of 1951, as amended, each
8 officer or employee of the Agency who was a resident
9 of the United States (as described above) at the time of
10 employment, upon completion of three years' continuous
11 service abroad or as soon as possible thereafter, and may
12 so order after completion of eighteen months such
13 service without regard to the limitation contained in
14 section 203 (f) of the Annual and Sick Leave Act of
15 1951, as amended.”

16 (5) Amend section 4 (5) by striking out subsections
17 (A) and (C) and inserting in lieu thereof the following
18 new paragraphs (A) and (C) :

19 “(A) In the event an officer or employee of the
20 Agency, or one of his dependents, requires medical care,
21 for illness or injury not the result of vicious habits, in-
22 temperance, or misconduct, while on assignment abroad
23 in a locality where there is no qualified person or facility
24 to provide such care, pay the travel expenses of such
25 officer, employee, or dependent by whatever means

1 deemed appropriate by the Agency, including the fur-
2 nishing of transportation, and without regard to the
3 Standardized Government Travel Regulations and sec-
4 tion 10 of the Act of March 3, 1933, as amended (60
5 Stat. 808; 5 U.S.C. 73b), to the nearest locality where
6 suitable medical care can be obtained and on his recovery
7 pay for the travel expenses of his return to his post of
8 duty. If any such person is too ill to travel unattended,
9 or in the case of a dependent too young to travel alone,
10 the Agency may also pay the round-trip travel expenses
11 of an attendant or attendants;”.

12 “(C) (i) In the event of illness or injury requiring
13 hospitalization or similar treatment incurred by an officer
14 or employee of the Agency while on assignment abroad,
15 not the result of vicious habits, intemperance, or mis-
16 conduct on his part, pay for the cost of treatment of such
17 illness or injury;

18 “(ii) In the event a dependent of an officer or em-
19 ployee of the Agency who is assigned abroad, incurs an
20 illness or injury while such dependent is located abroad,
21 which requires hospitalization or similar treatment, and
22 which is not the result of vicious habits, intemperance,
23 or misconduct on his part, pay for that portion of the
24 cost of treatment of each such illness or injury that

1 exceeds \$35 up to a maximum limitation of one hundred
2 and twenty days of treatment for each such illness or
3 injury, except that such maximum limitation shall not
4 apply whenever the Agency, on the basis of professional
5 medical advice, shall determine that such illness or in-
6 jury clearly is caused by the fact that such dependent
7 is or has been located abroad;”.

8 (6) In section 5, add the following new paragraphs
9 (f) and (g) :

10 “(f) Upon the termination of the assignment of an
11 employee appointed from another Government agency
12 without a break in service for duty with the Agency for
13 a specific period of time agreed upon by both agencies,
14 such person will be entitled to reemployment in such
15 other Government agency in the position occupied at the
16 time of assignment, or in a position of comparable salary,
17 or, at the volition of the other Government agency, to a
18 position of higher salary. Upon reemployment, the
19 employee shall receive the within-grade salary advance-
20 ments and other salary adjustments he would have been
21 entitled to receive had he remained in the position in
22 which he was employed prior to assignment to the
23 Agency.

24 “(g) Settle and pay, whenever the Director deter-
25 mines that payment will further the purposes of this Act,

1 without regard to any other provisions of law and under
2 such regulations as the Director may prescribe, in an
3 amount not exceeding \$10,000, any claim against the
4 United States for loss of or damage to real or personal
5 property (including loss of occupancy or use thereof),
6 belonging to, or for personal injury or death of, any
7 person not a citizen or resident of the United States,
8 where such claim arises abroad out of the act or omission
9 of any Agency employee or out of the act or omission
10 of any person acting on behalf of the Agency but only if
11 such claim is presented in writing to the Agency activity
12 involved within one year after it accrues.”

13 (7) Renumber section 7 to read section 8. Renum-
14 ber section 8 to read section 9, APPROPRIATIONS. Renum-
15 ber section 9 to read section 10, SEPARABILITY OF PROVI-
16 SIONS. Renumber section 10 to read section 11, SHORT
17 TITLE. Add a new section 7 as follows:

18 “7. (a) For the benefit of or for use in connection with
19 the Agency or for the benefit or welfare of employees of the
20 Agency or their dependents, the Director is authorized, not-
21 withstanding any other provisions of law—

22 “(1) to receive gifts to the Agency and in his dis-
23 cretion to accept, receive, hold, administer, and expend
24 or dispose of such gifts and bequests of property from in-
25 dividuals or others;

1 “(2) to disburse gifts, bequests of money, interest,
2 profits, income, or proceeds from sales of other property
3 received as gifts in accordance with the terms and con-
4 ditions of the acceptance of any particular gift or bequest;

5 “(3) to invest, reinvest, or retain investments of
6 the money, property, or securities and the interest,
7 profits, or proceeds accruing from such money, property,
8 or securities:

9 *Provided, however,* That the Director is not authorized, as a
10 consequence of gifts or bequests of money, property, or se-
11 curities to the Agency, to engage in any business or to exer-
12 cise any voting privilege which may be incidental to securi-
13 ties in his hands received as a gift to the Agency, nor shall
14 the Director make any investments other than securities of
15 the United States or other securities guaranteed as to prin-
16 cipal and interest by the United States, except that he may
17 make any investments directly authorized by the instrument
18 of gift, and may retain any investments accepted by him:

19 *Provided further,* That gifts, bequests of money, or proceeds
20 from other property are not utilized for the conduct of
21 activities by the Agency, as authorized in section 4 et seq.
22 of this Act through the augmentation or in lieu of appropria-
23 tions by the United States Congress: *And provided further,*
24 That the funds represented by the gifts, bequests of money,

1 or proceeds from other property are not commingled with
2 funds appropriated by the United States Congress.

3 “(b) For the purpose of Federal income, estate, and
4 gift taxes, gifts and bequests accepted by the Director shall
5 be deemed to be a gift or bequest to or for the use of the
6 United States.”

7 SEC. 2. Title II, The Central Intelligence Agency Re-
8 tirement and Disability System, of the Central Intelligence
9 Agency Retirement Act of 1964 for Certain Employees
10 (50 U.S.C. 403, note) is amended as follows:

11 (1) Amend section 221 by striking out subsection (f)
12 and inserting the following new paragraphs (f), (g), and
13 (h) :

14 “(f) Any unmarried participant retiring under the
15 provisions of this Act and found by the Director to be in
16 good health may at the time of retirement elect a reduced
17 annuity, in lieu of the annuity as hereinbefore provided, and
18 designate in writing a person having an insurable interest
19 (as that term is used in section 9 (h) of the Civil Service
20 Retirement Act (5 U.S.C. 2259 (h))) in the participant
21 to receive an annuity after the participant's death. The
22 annuity payable to the participant making such election
23 shall be reduced by 10 per centum of an annuity computed

1 as provided in paragraph (a) of this section, and by 5
2 per centum of an annuity so computed for each full five
3 years the person designated is younger than the participant,
4 but such total reduction shall not exceed 40 per centum.
5 The annuity of a survivor designated under this paragraph
6 shall be 55 per centum of the reduced annuity computed
7 as prescribed above.

8 “(g) Except as otherwise provided, the annuity of a
9 participant shall commence on the day after separation from
10 the service, or on the day after salary ceases and the par-
11 ticipant meets the service and the age or disability require-
12 ments for title thereto. The annuity of a participant under
13 section 234 shall commence on the day after the occurrence
14 of the event on which payment thereof is based. An an-
15 nuity otherwise payable from the fund allowed on or after
16 date of enactment of this provision shall commence on the
17 day after the occurrence of the event on which payment
18 thereof is based.

19 “(h) An annuity payable from the fund on or after
20 date of enactment of this provision shall terminate (1) in
21 the case of a retired participant, on the day death or any
22 other terminating event occurs, or (2) in the case of a
23 survivor, on the last day of the month before death or any
24 other terminating event occurs.”

25 (2) Amend section 252 by deleting subsection (c) (1),

1 renumbering subsections (c) (2) and (c) (3) to read (c)
2 (3) and (c) (4), and inserting the following new subsections
3 (c) (1) and (c) (2) :

4 “(c) (1) If an officer or employee under some other
5 Government retirement system becomes a participant in
6 the system by direct transfer, the Government’s contributions
7 under such retirement system on behalf of the officer or em-
8 ployee shall be transferred to the fund and such officer or
9 employee’s total contributions and deposits, including inter-
10 est accrued thereon, except voluntary contributions, shall be
11 transferred to his credit in the fund effective as of the date
12 such officer or employee becomes a participant in the system.
13 Each such officer or employee shall be deemed to consent to
14 the transfer of such funds and such transfer shall be a com-
15 plete discharge and acquittance of all claims and demands
16 against the other Government retirement fund on account of
17 service rendered prior to becoming a participant in the
18 system.

19 “(c) (2) If a participant in the system becomes an em-
20 ployee under another Government retirement system by
21 direct transfer to employment covered by such system, the
22 Government’s contributions to the fund on his behalf may
23 be transferred to the fund of the other system and his total
24 contributions and deposits, including interest accrued thereon,
25 except voluntary contributions, may be transferred to his

1 credit in the fund of such other retirement system at the
2 request of the officer or employee effective as of the date he
3 becomes eligible to participate in such other retirement sys-
4 tem. Each such officer or employee in requesting such
5 transfer shall be deemed to consent to the transfer of such
6 funds and such transfer shall be a complete discharge and
7 acquittance of all claims and demands against the fund on
8 account of service rendered prior to his becoming eligible for
9 participation in such other system.

10 (3) Amend section 273 by deletion of subsection (a) ;
11 renumbering subsection (b) to read (c) and inserting the
12 following new subsections (a) and (b) :

13 “(a) Notwithstanding any other provision of law, any
14 annuitant who has retired under this Act and who is reem-
15 ployed in the Federal Government service in any appointive
16 position either on a part-time or full-time basis shall be en-
17 titled to receive the salary of the position in which he is
18 serving plus so much of his annuity payable under this Act
19 which when combined with such salary does not exceed dur-
20 ing any calendar year the basic salary such officer or em-
21 ployee was entitled to receive on the date of his retirement
22 from the Agency. Any such reemployed officer or employee
23 who receives salary during any calendar year in excess of the
24 maximum amount which he may be entitled to receive un-

1 der this paragraph shall be entitled to such salary in lieu of
2 benefits hereunder.

3 “(b) When any such annuitant is reemployed, he shall
4 notify the Director of Central Intelligence of such reem-
5 ployment and shall provide all pertinent information relating
6 thereto.”

7 SEC. 3. Section 102 (b) of the Federal Employees Pay
8 Act of 1945, as amended (5 U.S.C. 902 (b)), relating to
9 exemption from coverage under the Act, is amended by strik-
10 ing out “and” immediately preceding “(7)” therein and by
11 inserting before the period at the end thereof “; and (8)
12 officers and employees of the Central Intelligence Agency”.

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